

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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No. 21-10845-mdc

MOTION TO MODIFY CHAPTER 13 PLAN AFTER CONFIRMATION

Ramona Lee Taylor, Debtor, by and through counsel, Anthony A. Frigo, Esquire, respectfully requests this Honorable Court to Modify her Chapter 13 Plan and in support thereof aver as follows:

JURSDICTION AND VENUE

1. This case was filed under Chapter 13 on March 31, 2021.
2. The Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334(b).

This is a core proceeding pursuant to 28 U.S.C. C 157 (b)(2)(A),(B),and (O).

3. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408-and 1409.
4. The statutory predicate for the relief requested is § 105 of the Bankruptcy Code.

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5. This case was filed under Chapter 13 on March 31, 2021.
6. William C. Miller, Esquire, was appointed the Standing Chapter 13 Trustee.
7. Due to the retirement of William C. Miller, Kenneth e. West is the current Chapter 13 Standing Trustee.
8. The Debtor' Chapter 13 Plan was confirmed on February 17, 2022.
9. Debtor's Chapter 13 Plan sought the payment of Priority Claims for Unpaid attorney fees in the amount of \$2,500.00.
10. Debtor's Chapter 13 Plan sought a distribution to unsecured claims in the amount of \$81.39.

11. Debtor's Chapter 13 Plan sought a distribution to cure defaults in the amount of \$9,473.54.

12. Debtor's Chapter 13 Plan sought a distribution to secured claims in the amount of \$13,700.88.

13. Debtors confirmed Plan is a forty-nine (49) month plan with a base amount of \$28,608.52.

14. To date the Debtor has paid \$13,300.46 toward the plan leaving a balance due of \$15,308.06.

15. The plan proposed an increase in payments from \$506.46 to \$700.00 in month 20.

16. Debtor had forgotten that the increase was due and fell behind on plan payments. The current arrearage is \$2,008.11.

17. By her proposed amended plan, Debtor, Ramona Lee Taylor, seeks to increase the plan period from forty-nine months (49) to fifty-two months (52) at the rate of \$700.00 per month for twenty-two months and a single payment of \$660.06 in month fifty-three (53). (A true and correct copy of the Proposed Amended Plan is attached hereto, made a part hereof and marked as Exhibit "A".)

18. Bankruptcy rule 1329(b) states:

“a) At any time after confirmation of the plan but before the completion of payments under such plan, the plan may be modified, upon request of the debtor, the trustee, or the holder of an allowed unsecured claim, to—

....

(2) extend or reduce the time for such payments;”

19. The rule allows for the extension of time to complete the plan and receive a discharge.

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20. Grant of this motion to modify the plan is in the best interest of the parties.

21.

WHEREFORE, Debtor respectfully requests the entry of an Order in the form attached hereto.

Dated: October 4, 2023

/s/ Anthony A. Frigo, Esquire

Anthony A. Frigo, Esquire

Attorney for Debtor

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